

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re: BRIDGESTONE/FIRESTONE, INC., TIRES PRODUCTS LIABILITY LITIGATION) Master File No. IP 00-9373-C-B/S) MDL NO. 1373))))
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THIS DOCUMENT RELATES TO ALL PERSONAL INJURY ACTIONS	

ORDER AMENDING CERTAIN CASE MANAGEMENT DEADLINES

After considering the arguments of counsel for the relevant parties, the magistrate judge determines that the following deadlines shall apply to the personal injury and wrongful death cases in this MDL action:

- A. For all personal injury and wrongful death cases in this action filed in this court¹ on or before June 30, 2001, with the exception of those cases arising from foreign accidents that are subject to the defendants' pending Motions to Dismiss on Forum Non Conveniens Grounds, the following deadlines will apply:
1. The parties shall exchange lists identifying expert witnesses and the topics on which they may offer expert testimony on or before **December 1, 2001**;
 2. The plaintiffs shall serve their expert witness reports by **January 1, 2002**; the defendants shall serve their expert witness reports by **February 1, 2002**;
 3. The parties shall exchange lists identifying supplemental experts who will offer expert opinions on topics for which another party has identified an expert, but for which the supplementing party has not yet identified an

¹The applicable date is the date the file was opened in this court.

expert, by **January 1, 2002;**

4. The parties' supplemental expert witness reports shall be served by **February 1, 2002;**
5. If the defendants in a case subject to this section stipulate by November 15, 2001, that they will not file any summary judgment motions in the case which will depend upon expert testimony, then the deadlines set forth above each shall be extended by 60 days for that case.

B. All personal injury and wrongful death cases that were filed in this court after June 30, 2001, again with the exception of those cases arising from foreign accidents that are or will be the subject of motions to dismiss on forum non conveniens grounds, will be grouped by the calendar quarter in which they were filed in this court. The following deadlines will apply to those cases:

1. The parties shall exchange lists identifying expert witnesses and the topics on which they may offer testimony within five months after the end of the quarter in which the case was filed in this court (e.g. by March 1, 2002, for cases filed in the third quarter of 2001);
2. Plaintiffs shall serve their expert witness reports within 30 days of the exchange of the expert witness lists, and defendants shall serve their expert witness reports within 30 days of the service of plaintiffs' expert witness reports;
3. The parties shall exchange lists identifying supplemental experts who will offer expert opinions on topics for which another party has identified an

expert, but for which the supplementing party has not yet identified an expert, within 30 days of the date that the parties in that case exchange the expert witness lists;

4. The parties shall serve their supplemental expert witness reports within 30 days of the date that the parties in the case exchange the supplemental expert witness lists;

5. If the defendants in a case subject to this section stipulate within 30 days of the deadline for the exchange of expert witness lists that they agree that they will not file any summary judgment motions in the case which will depend on expert testimony, then the deadlines set forth above each shall be extended by 60 days for that case;

6. All case-specific fact discovery shall be completed by 7 months from the end of the quarter in which the case was filed in this court. The deadline for “core” discovery shall remain as February 1, 2002, for all cases, regardless of when filed, absent leave of court, which will be granted only upon a showing of good cause why the deadline should be extended.

C. For all cases arising from foreign accidents which were filed in this court on or before June 30, 2001, and which are subject to the defendants’ pending Motions to Dismiss on Forum Non Conveniens Grounds, the following deadlines shall apply:

1. All discovery now may proceed in these cases, regardless of whether they are subject to a pending motion to dismiss;

2. The parties shall agree upon the deadlines for exchanging lists of experts

who will offer “core” expert opinions² and for exchanging expert reports for those “core” experts;

3. The parties shall exchange witness lists identifying experts who will offer “non-core” expert opinions and the topics on which they may offer such opinions on or before **April 15, 2002**;³
4. Plaintiffs shall serve their “non-core” expert reports by **May 15, 2002**;
5. Defendants shall serve their “non-core” expert opinions by **June 15, 2002**;
6. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics as to which another party has identified an expert, but as to which supplementing party has not yet identified an expert, by **May 15, 2002**;
7. The parties’ supplemental expert witnesses shall furnish their expert reports regarding their “non-core” expert opinions by **June 15, 2002**; and
8. Case-specific fact discovery in these cases shall be completed by **July 1, 2002**.

- D. All cases arising from foreign accidents that were filed in this court after June 30, 2001, and are or will be subject to a motion to dismiss on forum non conveniens grounds, shall be separated into groups by the calendar quarter in which they were

²“Core” expert opinions are those which are expected to apply to multiple cases subject to this section and which are based primarily on facts that are not specific to any particular case.

³“Non-core” expert opinions are those which apply to individual personal injury and wrongful death cases subject to this section and which are based primarily upon case-specific facts.

filed in this court. The following deadlines shall apply in those cases:

1. The parties shall exchange lists identifying experts who will offer “core” expert opinions and the topics on which they may offer such opinions within 5 months after the end of the quarter in which the case was filed in this court (e.g. by March 1, 2002, for cases filed in the third quarter of 2001);
2. Plaintiffs’ expert witnesses shall furnish their reports regarding their “core” expert opinions within 30 days of the exchange of the “core” expert witness lists;
3. Defendants’ expert witnesses shall furnish reports regarding their “core” expert opinions within 30 days after the plaintiffs’ “core” expert witness reports are served upon defendants;
4. The parties shall exchange witness lists identifying experts who will offer “non-core” expert opinions and the topics on which they may offer such opinions within 7 months of the end of the quarter in which the case was filed in this court;
5. Plaintiffs’ expert witnesses shall furnish expert reports regarding their “non-core” expert opinions within 30 days of the date that the parties exchange the “non-core” expert witness lists;
6. Defendants’ expert witnesses shall furnish expert reports regarding their “non-core” expert opinions within 30 days after the plaintiffs’ “non-core” expert witness reports are served upon defendants;

7. The parties shall exchange lists identifying supplemental experts who will offer “non-core” expert opinions on topics for which another party has offered an expert, but as to which the supplementing party has not identified an expert, within 30 days of the date that the parties exchange their “non-core” expert witness lists;
8. The parties’ supplemental expert witnesses shall furnish their expert reports regarding their “non-core” expert opinions within 30 days of the date that the parties exchange the supplemental expert witness lists;
9. Case-specific fact discovery shall be completed as of the date the defendants’ “non-core” expert reports are due to be served.

ENTERED this _____ day of October 2001.

V. Sue Shields
United States Magistrate Judge
Southern District of Indiana

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